

## GEORGE W. WALTON.

MAY 25, 1842.

Read, and laid upon the table.

Mr. COWEN, from the Committee of Claims, made the following

## REPORT:

*The Committee of Claims, to which was referred the petition of George W. Walton, report:*

That the petitioner represents that he was a contractor for carrying the United States mail on route 2,451, between the city of St. Augustine, East Florida, and the city of Jacksonville; that on the evening of the 15th day of February, 1840, his stage, carrying the mail to Jacksonville, drawn by two horses, and driven by a young man named G. Washington Walton, jr., was attacked by Indians about seven miles from St. Augustine, the driver killed, and the horses carried off, and the stage greatly injured: he therefore prays that remuneration may be made him for his loss. A long list of names, citizens of St. Augustine, is appended to the petition, certifying to the truth of the petitioner's statement.

The petitioner submits the following account, which he has sworn to:

A pair of black match horses carried off	-	-	-	\$500 00
A double set of brass mounted carriage harness, cut to pieces				50 00
One English silver watch, the property of G. W. Walton	-	-	-	25 00
Cash, principally in silver and gold	-	-	-	15 00
Injury done to the carriage by cutting to pieces the curtains, cushions, and trimmings, breaking the glass, &c.	-	-	-	50 00
Making in all	-	-	-	<u>\$640 00</u>

David R. Dunham certifies, on oath, to the quality of the horses; says they were in as good order when captured by the Indians, and worth as much, (except as to age,) as when they were in the hands of Capt. J. Smoot, of the United States navy, the original owner, who informed him in February, 1838, that he had paid \$500 for them about six months previous to that time.

The fact of the loss of property, in the way set forth, is clearly established, though there is no admissible evidence of its value; but, if the proof was sufficient to establish the facts as presented, they would form the basis of no claim on Government. The United States never become the insurers of the property employed by contractors for carrying the mail while in the public service, nor are they bound to furnish a military guard for the protection of such property, whether the mail be carried

through hostile Indians or not; besides, this loss is the result of Indian depredations, which have never been acknowledged as the foundation for a claim on this Government. The committee therefore recommend to the House for its adoption the following resolution:

*Resolved*, That the prayer of the petitioner be rejected.